

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 3, 1997**

DIVISION TWO

B085904 Mullins (Not for Publication)  
v.  
Rockwell International Corporation

The matter is remanded for proceedings consistent with this opinion. Each party is to bear its own costs on appeal.

Nott, J.

We concur:   Fukuto, Acting P.J.  
                      Zebrowski, J.

B098281      Bradford      (Not for Publication)  
v.  
Quan

The matter is reversed. The parties are to bear their respective costs of appeal.

Nott, J.

We concur:   Boren, P.J.  
                      Fukuto, J.

[illegible]

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Fukuto, J.

## December 3, 1997-Continued

## DIVISION TWO (Continued)

B104974 People (Not for Publication)

V.  
Holguin

The Court:

The judgment is reversed.

Nott, J., Boren, P.J., Fukuto, J.

B106552 Koretoff (Not for Publication)

V.  
Rutan & Tucker

The summary judgments are reversed. Appellant is awarded costs on appeal.

Nott, J.

We concur:   Fukuto, Acting P.J.  
                  Ito, J. (Assigned)

B109700 Chandler, et al. (Not for Publication)

v.  
Weiss

The judgment is reversed and the matter is remanded to the trial court for further proceedings. Each party shall bear their respective costs on appeal.

Nott, J.

We concur: Boren, P.J.  
Ito, J. (Assigned)

### December 3, 1997-Continued

## DIVISION TWO (Continued)

B110302 People v. Gray (Not for Publication)

---

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Fukuto, J.

DIVISION THREE

[illegible]

The judgment is reversed and the matter is remanded to the superior court. That court is directed to vacate Padilla's guilty plea if he makes an appropriate motion within 30 days of the filing of the remittitur in this matter. In that event, the court should reinstate the original charges contained in the information, if the state so moves, and proceed to trial or make other appropriate disposition. If no such motion is filed by Padilla, the trial court is directed to reinstate the original judgment.

Kitching, Acting P.J.

We concur: Aldrich, J.  
Aranda, J. (Assigned)

B098617      Isaac Eisenstein, et al.      (Not for Publication)  
v.  
David Branson, et al.

Judgment affirmed. Respondent is awarded costs on appeal.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION THREE (Continued)

B094414      Anna Giovanini      (Not for Publication)  
                 v.  
                 Sammie Pack

The summary judgment in favor of Pack is reversed. Giovanini is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.  
                 Aldrich, J.

B093228      Valentine Silbernagel, et al.      (Not for Publication)  
                 v.  
                 Janice Porter, et al.

Judgment in favor of the City on the negligence cause of action is reversed. The grant of a new trial on the negligence cause of action, conditionally granted, is affirmed, and hereby becomes the order of the court. The order granting a new trial on the conversion cause of action is affirmed, and the order denying judgment notwithstanding the verdict on the conversion cause of action is affirmed. The order granting nonsuit on the trespass cause of action is affirmed. The matter is remanded to the trial court for further proceedings in accordance with this opinion. The parties are to bear their own costs on appeal and cross-appeal.

Aldrich, J.

We concur: Klein, P.J.  
                 Aranda, J. (Assigned)

December 3, 1997-Continued

DIVISION FOUR

B101834 Yun, Young-Hee (Not for Publication)

V.  
Kim, Chong S.

The judgment is affirmed.

Baron, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

B100471 Kennedy (Not for Publication)

V.  
Terra Properties, et al.

The judgment is reversed with respect to appellant's claims for negligence and breach of contract, and otherwise affirmed. Appellant is awarded her costs on appeal.

Baron, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B107738 People (Not for Publication)

v.  
Ulloa

The judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

December 3, 1997-Continued

## DIVISION FOUR (Continued)

B1111094 Department of Children & Family Services (Not for Publication)  
v.  
Jerry H.

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Baron, J.

B101597 People (Not for Publication)  
v.  
Thompson

The judgment is affirmed.

Epstein, J.

We concur:   Vogel (C.S.), P.J.  
                      Hastings, J.

B106584 People (Not for Publication)  
v.  
Iniguez et al.

The judgments are affirmed.

Epstein, J.

We concur:   Vogel (C.S.), P.J.  
                     Hastings, J.

### December 3, 1997-Continued

## DIVISION FOUR (Continued)

B100481 People (Not for Publication)  
v.  
Dubov

The judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Jackson, J. (Assigned), and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B103634 People v. Aaron Jones  
B105946 People v. Arreola  
B108372 People v. Briggs  
B109552 People v. Jesse M.  
B108447 People v. Grego  
B115912 Mark N. v. S.C.L.A. (DCS)

Argument waived, cause submitted.

B108724 People  
v.  
Hightower

Appearances:  
Richard Fitzer for appellant and by Deborah Bigee Sturrock, Deputy  
Attorney General for respondent. Argument waived, cause submitted.

DIVISION FIVE (Continued)

B101586      Ocean Ventures Mgmt. Ltd.  
                 v.  
                 Susan E. Chiu

Merits:

Argued by John E. Sweeney for appellant and by Bruce H. Dunn for respondent. Cause argued and submitted.

The Court recessed.

The Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Jackson, J. (Assigned), and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B107221 People v. Keith Gatson  
B108742 People v. Stewart

Argument waived, cause submitted.

B099927      Leionel A. Daley  
                 v.  
                 David Beck et al.

Merits:

Argued by Leionel A. Daley, appellant in propria persona and by David A. Beck, respondent in propria persona. Cause submitted.

B113652      Standun, Inc.  
                 v.  
                 Firemans Fund Ins. Co. et al.

Merits:

Argued by Daniel L. Germain for appellant and by Paul A. Tenner and Lisa M. Kralik for respondents. Cause submitted.



DIVISION FIVE (Continued)

Court recess.

The Court reconvened at 10:42 a.m.

Present: Turner, P.J., Armstrong, J., Jackson, J. (Assigned), and Zaida G. Heraldez, Deputy Clerk.

B110351      Gene Gentis et al.  
                  v.  
                  Safeguard Business Systems, Inc., et al.

Merits:

Argued by Lee N. Abrams for appellants and by Bruce C. Fishelman for respondents. Cause submitted.

Court recess.

The Court reconvened at 11:10 a.m.

Present: Grignon, Acting P.J., Armstrong, J., Jackson, J. (Assigned), and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B107280 People v. Sawyers  
B107539 People v. Covarrubias

Argument waived, cause submitted.

B109732      The People  
                  v.  
                  Richard Anthony F.

Merits:

Argued by Fay Arfa for appellant and by Joseph P. Lee, Deputy Attorney General for respondent. Cause submitted.

DIVISION FIVE (Continued)

B105069     The People  
              v.  
              Marcus Betton

Merits:

Argued by Catherine F. Campbell for appellant and by Valerie A. Baker, Deputy Attorney General, for respondent. Cause submitted.

B107673     The People  
              v.  
              Anthony R.

Appearances:

Lori M. Gong, Deputy Attorney General, for respondent and no appearance for appellant. Argument waived, cause submitted.

The Court recessed.

The Court reconvened at 1:00 p.m.

Present: Grignon, Acting P.J., Armstrong, J., Jackson, J. (Assigned), and Zaida G. Heraldez, Deputy Clerk.

B106512     Roy M. Pugh  
              v.  
              County of Los Angeles

Merits:

Argued by Diane Marchant for appellant and by Sheilah Curtis for respondent. Cause argued and submitted.

B111156     Yvonne Kelly  
              v.  
              Bill and Virginia Chainey Trusts

Merits:

Argued by Stephen C. Jones for appellant and by Lynard C. Hinojosa for respondent. Cause argued and submitted.

## December 3, 1997-Continued

## DIVISION FIVE (Continued)

B104811      The People  
v.  
Lloyd Camp

Merits:

Argued by Philip M. Brooks for appellant and by Ana R. Duarte for respondent. Cause submitted.

B099815      Bruce Roberts  
v.  
Sidney R. Alpert

No Appearances; argument deemed waived submission deferred 90 days.

The Court adjourned.

B109042      Renee L. Campbell  
v.  
Kane, Ballmer & Berkman et al.

Filed order modifying opinion. (No change in the judgment.)

B105754      Todd Lethbridge  
v.  
Johnson & Johnson Vision Products, Inc. et al.

Filed order denying petition for rehearing.

DIVISION SIX

B107076      People                                  (Certified for Publication)  
v.  
Phillips

The judgment is reversed.

Gilbert, J.

We concur: Stone, P.J.  
Yegan, J.

### December 3, 1997-Continued

## DIVISION SIX (Continued)

B108759 Blake (Certified For Publication)

V.  
City of Port Hueneme

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

B111331 People (Not for Publication)

V.  
Guzman

The judgment is affirmed.

Stone, P.J.

We concur: Yegan, J.  
Coffee, J.

B110213      People      (Not for Publication)

V.  
Garcia

The judgment is affirmed.

Stone, P.J.

We concur:    Gilbert, J.  
                         Yegan, J.

## DIVISION SEVEN

B113348      Los Angeles County, D.C.S.      (Not for Publication)

v.  
Jay W. and Sue E.

We deem the appeal abandoned and dismiss the appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

December 3, 1997-Continued

## DIVISION SEVEN (Continued)

B111000 People (Not for Publication)  
v.  
Pierce

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

[illegible]

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

[illegible]

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.  
Johnson, J.

December 3, 1997-Continued

## DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

B110554 People v. Irving

(Not for Publication)

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B111803      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Ming C.J.

We deem the appeal abandoned and dismiss the appeal.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

December 3, 1997-Continued

DIVISION SEVEN (Continued)

B099885      Allen      (Not for Publication)

V.

Wilderman, et al.

The judgment of the Superior Court is affirmed. Respondents to recover their costs on appeal.

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.